

PREGLEDNI ZNANSTVENI RAD (REVIEW ARTICLE)

UDK: 343.982.5

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CRIMINAL INVESTIGATIONS**

Photography is admitted as one of the widely used methods in criminal investigation which has a significant evidentiary potential, but only if it is made according to special technical and procedural rules. Considering its great value in the collecting and examination of material evidences, in this paper it will be presented the review of application of photography in the process of proving the facts in criminal proceedings. At first, it will be presented the general legal rules on the manner of proving and assessment of the evidence in criminal proceedings, which are decisive in considering photography as evidence. The focus will be on photographs which are used or obtained by conducting evidentiary actions, such as witnesses' identification and covert surveillance and audio and video recording and photographs which represent technical contribution to other evidentiary actions, such as crime scene investigation. Finally, it will be considered evidentiary action named proving by a record, under which the use of photography as evidence could be subsumed, with reference to relevant cases from the case law in Republic of Serbia.

Keywords: *photography, criminal investigation, crime scene photography, evidentiary actions.*

DOKAZNI ZNAČAJ FOTOGRAFIJE U KRIMINALISTIČKIM ISTRAGAMA

Fotografija je prihvaćena kao jedna od zastupljenijih metoda kriminalističke istrage, koja ima značajni dokazni potencijal ukoliko je sačinjena u skladu sa posebnim tehničkim i procesnim pravilima. Uvažavajući veliki dokazni potencijal fotografije u prikupljanju i oceni materijalnih dokaza, u radu će biti prezentovana moguća upotreba fotografije u postupku dokazivanja činjenica u krivičnom postupku. Na početku, biće razmotrena opšta zakonska pravila o načinu dokazivanja i oceni dokaza u krivičnom postupku, koja su relevantna za razmatranje fotografije kao dokaza. Fokus će biti na fotografijama koje se koriste ili koje su dobijene sprovođenjem dokaznih radnji, poput prepoznavanja od strane svedoka i tajnog praćenja i audio i video snimanja i fotografijama koje predstavljaju tehnički prilog drugim dokaznim radnjama, poput uviđaja. Na kraju, biće razmotrena dokazna radnja dokazivanje ispravama, pod kojom se može podvesti upotreba fotografije kao dokaza, uz ukazivanje na relevantne slučajeve iz sudske prakse u Republici Srbiji.

Ključne reči: fotografija, kriminalistička istraga, uviđajna fotografija, dokazne radnje.

1 INTRODUCTION

The scientific basis of classical photography is contained in the fact that a negative (film coated with a thin layer of emulsion) sensitive to light creates a latent image, due to the reflection of light from the object, which must be developed by using certain substances known as developers in order to render the latent image visible. At the end of the 20th century, due to the accelerated development of information technology, which began with the invention of the microprocessor, the foundations for digital photography were laid (Strgar-Kurečić, 2017: 21). At the beginning of the 21st century, digital photography completely substituted classic photography. Modern cameras have sensors (a component responsible for photo quality) with increasing resolution, which in some cameras reaches 50MP. Also, there are more cameras which have the ability to edit photos in various ways. The sensor plays the role of photographic film because it accepts light photons reflected from the object and converts them into an electrical signal which is then converted through an AD converter into a digital signal suitable for processing and storage on a computer. Digital cameras of new generation use OLED (Organic Light Emitting Diode) display technology, which implies the existence of LED organic layers that emit the light.

Digital photography has a significant value in forensic disciplines such as crime scene investigation and physical evidence examination. Photography is a precious tool in criminal investigations, because of its potential for objective and accurate representation of reality. Crime photography is a system of scientific settings and methods that are clarified on them, ways and types of photographic recording, which are used in the collection and examination of material evidence and the implementation of other measures to detect and prevent crime (Mitrović & Stupar, 2002: 113). The field of application of crime photography is wide – beside its application in the system of registration and identification of persons, objects and events, crime photography can also be applied in crime investigation operations and expertise. The role of photography in criminal investigation is to document information that could: assist in the discovery of facts or truth surrounding criminal activity; provide the identity of any victims; provide the identity of the perpetrators of the crime; link perpetrators to the scene of the crime and exculpate suspects (Porter, 2011: 29).

The topic of the paper is consideration of evidentiary value of photography, based on the provisions of the Criminal Procedure Code of the Republic of Serbia (2011). At first, it will be presented the general legal rules on the manner of proving and assessment of the evidence in criminal proceedings, which are decisive in considering photography as evidence. The focus will be on photographs which are used or obtained by conducting evidentiary actions, such as witnesses' identification and covert surveillance and audio and video recording and photographs which represent technical contribution to other evidentiary actions, such as crime scene investigation. Finally, it will be considered evidentiary action named proving by a record, under which the use of photography as evidence could be subsumed, with reference to relevant cases from the case law in Republic of Serbia.

2 GENERAL LEGAL RULES DUE TO PHOTOGRAPHY AS EVIDENCE

The evidentiary value of the photography is determined by the general legal rules on the manner of proving and assessment of the evidence in criminal proceedings. This means that evidence is collected and examined in accordance with the provisions of this Criminal Procedure Code (2011; art. 15, par. 1), and in other manner prescribed by law (art. 82). The court assesses the evidence examined which is of importance for rendering a decision at its discretion (art. 16, par. 3 of the CPC). The provisions of the Code on unlawful evidence are also relevant for determining the evidentiary value of photography, because court decisions may not be based on evidence which is, directly or indirectly, in itself or by the manner in which it was obtained, in contravention of the Constitution, this Code, other statute or universally accepted rules of international law and

ratified international treaties, except in court proceedings in connection with the obtaining of such evidence (art. 16, par. 1 of the CPC). Evidence collected in contravention of Code is unlawful evidence and may not be used in criminal proceedings. The Code is giving a precise rule related to their further treatment - unlawful evidence is excluded from the case file, placed in a separate sealed cover and kept by the judge for preliminary proceedings until the final conclusion of the criminal proceedings, after which they are destroyed.

In addition to such clearly defined legal rules, the legislator also regulated the issue of evidentiary actions as a means of establishing legally relevant facts in criminal proceedings. These are the so-called named means of evidence and their important characteristic is that the Criminal Procedure Code regulates the procedure of obtaining the source of knowledge on the facts that are established in the criminal proceedings (Ilić et al., 2013: 263–264). However, the law unequivocally prescribed that evidence could be also collected and examined by so-called unnamed means of evidence, which means that under certain conditions everything that could contribute to establishing the facts in the procedure could be used. The stand of case law on this issue is that establishment of the facts using other admissible evidence is based on the principle of the court discretion (The judgment of Supreme Court of RS, Kž, no. 350/07 since 2007, December 25, according to Ilić et al., 2013: 264).

3 THE USE OF PHOTOGRAPHY IN WITNESSES' IDENTIFICATION

Based on the provisions of the Criminal Procedure Code of the Republic of Serbia (2011), photograph of the person or item can be used also for the purposes of *witnesses' identification*. If it is necessary to establish whether a witness has identified a certain person or a certain item, or their characteristics as he had described them, the identification can be performed by showing the witness a photography of the person or object together with other photographs of persons unknown to him or objects whose basic characteristics are similar to those he has described (art. 90, par. 1 and 3 of the CPC). The main condition for photo-identification is that the person or item is not accessible. The photo of the suspect should be the closest to his appearance at the time of the crime. In criminalistics practice, identification may be conducted at time when police determine the circle of suspects. If there is a witness who can identify the perpetrator, criminal investigators will show him/her photos of a larger number of perpetrators who have already been registered. An eyewitness can recognize a certain person from the photos shown to him/her and indicate that it is the perpetrator of the criminal offence, but this identification will have only operational significance. The reason is the rule for conducting the identification by photos, which obligates that: 1) witness must previously describe the basic characteristics of the person or item;

2) persons presented on the photographs must have similar basic characteristics described by witness; 3) during the pre-investigation proceedings and the investigation, the identification of persons or items must be performed in the presence of the public prosecutor (Tasić & Straub, 2020: 143–134).

If those preconditions are fulfilled, the record of the conducted photo-identification will have a probative value. By using the new technology and tools, police can make significant improvements in the quality of identifications. For example, improvement of the databases will make it easier to find fillers with similar physical characteristics to the suspect's and computerized manipulation of photos will make it possible to create lineups with photographs of the same size, background, and quality (Police Executive Research Forum, 2014: 75).

4 THE USE OF PHOTOGRAPHY IN COVERT SURVEILLANCE AND AUDIO AND VIDEO RECORDING

In some investigations, there is a need to take special evidentiary actions, such as *covert surveillance and audio and video recording*, which require photographing of the certain event, person or object, in a way that is not noticed by persons who are being filmed or other persons. The ways and procedures by which this is achieved are called secret or detective photography which can be classified into 4 categories: 1) hidden camera photography - when it is known in advance that the need for secret photography will appear in a certain place and at a certain time; 2) miniature cameras – which can be installed in smaller objects that do not cause attention and are easy to handle; 3) remote shooting - which allows taking photographs from a greater distance, if place object of surveillance cannot be accessed unnoticed; 4) night recording, which involves taking photos using infrared cameras which can be applied in an environment that is totally dark to human eyes, but well illuminated from the camera's perspective (Mitrović & Stupar, 2002: 120–122).

Acting on a reasoned motion of the public prosecutor the court may order covert surveillance and audio/video recording of a suspect for the purpose of detecting contacts or communication of the suspect in public places where access is limited or in premises, except in a dwelling or determining the identity of a person or locating persons or things. The locations or premises or vehicles belonging to other persons may be the object of covert surveillance and audio/video recording only if it is probable that the suspect will be present there or that he/she is using those vehicles (art. 171, par. 1 and 2 of the CPC). In addition to audio surveillance of premises, vehicles and persons, this special evidentiary action is also reflected in secret photography, visual tracking of objects, secret recording with classic and digital cameras, video cameras and similar means (Bošković & Kesić, 2015: 244). Upon the termination of the covert surveillance and recording, all collected recordings and special report will be delivered to the

judge for preliminary proceedings and it can be used as evidence in criminal proceedings only if the action was carried out in full in accordance with the provisions of Criminal Procedure Code.

5 CRIME SCENE PHOTOGRAPHY

Crime scene photography is the art of producing an accurate reproduction of the scene of a crime which contributes to the efficiency of criminal investigation, by providing the photos of victims, places and items involved, as well as to the presentation of evidence during the legal process. The purpose of crime scene photography is to capture adequate images for the best possible documentation and representation of the reality present at the moment in time when the scene was photographed, and as such, photographs should be a fair and quality representation of the scene (Dutelle, 2011: 105). Also, certain crime scene photographs can also be used as a basis for expertise, i.e. for presentation of material evidence.

Photographic method is one of the primary methods of crime scene documentation, beside reports (audio and written), videography and crime scene sketching and mapping. Photography, as a method of crime scene documentation is often criticized based on the following arguments: it is more expensive than the verbal method; it is not practical, because it requires special equipment, trained personnel and time; the content of the photo documentation is subjective and its quality is conditioned by the training and experience of the crime scene technician; the possibilities of manipulations are increasing and other (Žarković & Ivanović, 2020: 255). Beside this argumentation, it is clear that crime scene photography is visual storyteller because it represents, in a simple and convincingly way, a large number of information related to crime scene. Also, photographs are accepted by the courts as evidences.

The first photographs should be taken as soon as possible, before anything is moved or taken within the crime scene and in accordance with the basic principle – crime scene should be photographed from a general to specific manner. There are three important phases in photographing a crime scene: overall crime scene photographing, midrange and close-up photographing. *Overall photographs* are used for wide-angle photographing the general appearance of the crime scene and layout of the scene (Žarković, Bjelovuk & Kesić, 2012: 140). When photographing the area surrounding a crime scene, it is important to document the scene identifiers such as street sights and addresses that place the crime scene within the certain jurisdiction. In order to record a complete 360° view of the location, a minimum of four photographs should be taken, from several standing points, different directions and angles. The function of *midrange photographs* is to visually establish the position of the evidences and to document the relationship between different pieces of evidence and between the evidence and the crime scene (Duncan, 2015: 65). During a detailed crime scene investigation, all traces

and items must be properly denoted (numerically or literally) and marked (by circles, arrows, etc.) and then documented again with midrange photographs and close-up photographs. The function of *close-up photographs* is to illustrate and document the specific items and traces and all relevant details on them. One of the relevant characteristics of the items and traces is their size, so there is a need for taking the photography with a scale of reference. This type of photography means that the viewer is able to gauge size of the item or trace presented on the photograph (Dutelle, 2011: 110). Also, during the dynamic phase of crime scene investigation, the crime scene technician can find new items or traces, so it will be photographed and illustrated, emphasizing their relationship with other pieces of evidences which have been already documented.

The course and procedure of photography must be properly documented by written report which must be accompanied by adequate photo documentation. Each crime scene photograph should contain the number under which it is documented in the photo documentation and description of its' content. Photographs should be represented from a general to specific manner and listed in the photo documentation (Žarković et al., 2012: 143). Photo documentation is an integral part of the record of the crime scene investigation and can be used as evidence in criminal proceedings. In one of the cases, the Supreme Court of Cassation of Serbia stated that the evidence obtained by the police by taking evidentiary actions could be used in the further course of criminal proceedings, if the evidentiary actions were conducted in accordance with Criminal Procedure Code. In this particular case, the Supreme Court of Cassation stated that "based on the record of the crime scene investigation, it is clear that this evidentiary action was performed by an authorized official of the police department of Zajecar, under the authority of the Higher public prosecutor in Zajecar ... and that the disputed banknotes in the amount of 1500 euro were photographed and a piece of toilet paper in which they were wrapped was seized as part of this action, which is documented in criminal-technical documentation of the police department of Zajecar and a report on forensic examination of the crime scene under the same number of the same date" (The judgment of the Supreme Court of Cassation of RS, no.1477/2018 since 2019, January 31).

6 THE PHOTOGRAPHY UNDER THE EVIDENTIARY ACTION OF PROVING BY A RECORD

In the case of assessing the admissibility of photographs as evidence in criminal proceedings, the legislator does not explicitly prescribe proving by photographs as the named means of evidence. The closest legally prescribed evidentiary action under which the use of a photograph as evidence could be subsumed is proving by a record. Based on the provisions of CPC, an instrument is every object or computer data suitable for or designated as proof of a fact

being determined in proceedings (art 2, par. 1, item 26). The Criminal Code of Serbia is giving the same meaning of this term, defining that an instrument shall be any item suitable or designated to serve as proof of a fact relevant to legal relations, as well as computer data (art. 112, par. 26). Based on these definitions, it can be concluded that instruments include all mechanical, optical, audio or electronic records and all items that can be used as evidence (Ilić et al., 2013: 60). The legislator also regulates the manner of using a public and non-public record as proof. The public record proves the veracity of what is contained in it if a record is issued in a prescribed form by a state institution within the boundaries of its competences, as well as a record is issued in that form by a person in the performance of a public authorisation (art. 138, par. 2 of the CPC). Proving by a record is performed by reading, observing, listening or inspecting the contents of the record in another manner (art. 138, par. 1 of the CPC). "It is interesting to mention that the legislator accept the assumption of the authenticity of a public document, i.e. considers credible what is contained in it, but also permits to prove otherwise, i.e. to prove that the content of the instrument is not authentic or that the instrument was not composed correctly" (Bošković & Kesić, 2020: 253). In case of non-public records, the legislator has prescribed that their authenticity be determined by examination other evidence and assessed in accordance with the principle of the court discretion. It is important to note that the Code regulates an issue of obtaining the record, i.e. prescribes that a record is obtained *ex officio* or on a motion of the parties by the authority conducting proceedings, or is submitted by the parties, as a rule in its original form (art. 139, par. 1). If the original of a record has been destroyed, has disappeared or cannot be acquired, a copy of the instrument may be obtained (art. 139, par. 2). However, this issue is not fully regulated by the law, since it is not precisely defined what kind of copy it is, i.e. whether the certified and uncertified copy have the same evidentiary value (Bošković & Kesić, 2020: 254). The correct stand on this issue should be that certified copy of the instrument have the power of record, while uncertified copy cannot be used as evidence in proceedings, because it "does not have the character of a record" (Conclusions of the criminal divisions of the Federal Court, republican and provincial supreme courts and the Supreme Military Court since 1985, February 5, according to Ilić, 2014: 30). However, in one of the judgment of the Court of Appeal in Novi Sad, it is determined that an uncertified copy of the instrument has the status of a record if the judge at the hearing determines that the photocopy is true to the original, because its authenticity was determined by the competent authority, which was stated in the minutes of the main hearing and signed by the judge, the scorer and the parties (The judgment of the Court of Appeal in Novi Sad, Kž.1, no. 387/11 since 2011, September 15, Bulletin of case law of the Court of Appeal in Novi Sad, according to: Bošković & Kesić, 2020: 254).

Based on the mentioned legal rules, it is clear that photography can be used as evidence in criminal proceedings. However, the case law shows that there

are cases in which the evidentiary value of photography is disputed with the argument that it is unlawful evidence. In one case, the defense counsel pointed out that the photographs of the defendant made while he was using the ATM are unlawful evidence. The argument was that this evidence was created during the validity of the criminal law (2006, October 12), which did not prescribe that the photographs could be used as evidence in proceedings, so that the court decision may not be based on evidence which is, directly or indirectly, in itself or by the manner in which it was obtained, in contravention of the law. According to assessment of the Supreme Court of Cassation, the allegations of the request for protection of legality cannot be accepted as grounded, "because the provision of the Criminal Code prescribes that an instrument shall be any item suitable or designated to serve as proof of a fact relevant to legal relations, as well as computer data". Therefore, this term includes photographs taken without the tacit or explicit consent of the defendant who is on them and they can be used as evidence in criminal proceedings, "because they were created as a form of general security measures taken in public places, i.e. in public objects and premises such as a bank, where the recording is regularly performed for security reasons". Bearing in mind that in this particular case it is a record containing data submitted by the bank and forwarded to the court in the form of a report, and that it is a record under the Criminal Procedure Code which was in force at the time of this action, and according to the Criminal Code which was valid at the time, the issued photographs are lawful evidence and the courts decisions may be based on them (The judgment of the Supreme Court of Cassation of RS, KZZ 751/2015 since 2015, September 9).

In other case, the defense counsel raised the question of the permissibility of using video recordings from private security cameras as evidence in criminal proceedings. This proceeding was conducted according to the previously valid Criminal Procedure Code (2001), which explicitly prescribed that photographs or audio, i.e. audio and video recordings made without the tacit or explicit consent of the suspect or defendant who are on them, or whose voice was recorded, may be used as evidence in criminal proceedings. This is permitted if the photographs or audio, i.e. audio and video recordings were taken as a form of security measures taken by the holder of the apartment and other premises, or by another person on the order of the holder, which also applies to courtyards and other similar open spaces (art. 132a, par. 7 of the CPC). Therefore, the court found that the defence counsel's request was unfounded and that the photographs thus obtained met all legal requirements and could be used as evidence (The judgment of the Supreme Court of Cassation of the RS, No. 203/2014 since 2014, March 26).

In third case, the defence counsel filed a request for protection of legality, pointing to a significant violation of the provisions of criminal procedure due to basing the judgments of lower courts on illegal evidence. The Supreme Court of Cassation took a stand that "colour photograph, undated, i.e. record which

is obtained by a state institution – the Ministry of Interior of Serbia, police department in Čačak, police station in Gornji Milanovac and submitted for further proceedings to the competent state institution - the Higher public prosecutor in Čačak” is lawful evidence. Also, the court assessed the request as unfounded, because mentioned evidence was examined at the main trial and in the presence of the defendant and his defence counsel, who did not object to it (The judgment of the Supreme Court of Cassation of RS, no. 148/2020 since 2020, February 20).

In one case, the Supreme Court of Cassation dealt with the assessment of the evidence obtained by photographing the SMS message between the injured party and the witness. It was concluded that this evidence may be considered as lawful, despite the defence’s allegations that the evidence was obtained in contravention of the provisions of Criminal Procedure Code, which prescribe that search and seizure of the automatic data processing device, including a mobile phone, is undertaken by a court order, which was not done in the specific case. The court assessed the allegations as unfounded, because the photographs of the SMS message included in the criminal-technical documentation of the police were sent from the witness’s mobile phone to the mobile phone of injured party and submitted to the authorized officials of the Ministry of the Interior of Serbia during the police intervention on the crime scene and composition of the criminal complaint against the defendant. The court found that provisions of the Code related to the search and seizure of the automatic data processing device were not violated, given that the defendant’s mobile phone was not searched. The data were obtained from the mobile phone of injured parties and witnesses, which they voluntarily presented to the authorized officials, in order to substantiate their verbal allegations related to the commission of the crime of the defendant, so the only question is whether the court will assess this evidence, i.e. whether it will find it credible (The judgment of the of the Supreme Court of Cassation of RS, no. 1108/2019 since 2019, October 31).

Another interesting case is the case in which the Supreme Court ruled on the legality of photocopies of photographs obtained from the Facebook page, without a court order for search and without the participation of an expert. The court found that photographs taken from public announcements on the defendant’s Facebook page were obtained in accordance with the provisions of the Code. “As these were public announcements, which are available to all users of this social network worldwide, which are accessed via the Internet, there was no reason for collecting photographs by conducting the search and seizure of the automatic data processing device and equipment on which electronic records are kept or may be kept based on court order (art. 152, par. 3 of the CPC). Also, after the presentation of written evidence at the main trial, including photo documentation of public announcements on the Facebook profile of the defendant, the defendant and his defense counsel did not object to it. Based on the mentioned reasons, the Supreme Court of Cassation found that the judgment was not based on unlawful evidence,

as it is unfoundedly pointed out in the submitted request of the defendant's defence counsel" (The judgment of the Supreme Court of Cassation of RS, no.751/2018 since 2018, July 5).

Finally, in one case, the defendant's defence counsel pointed out that photocopies of photographs on which signs were subsequently drawn cast doubt on the credibility of the evidence thus obtained. The Supreme Court of Cassation took the stand that a photocopy of crime scene photographs is not unlawful evidence on which court decision cannot be based, because the Code does not explicitly oblige the court to use only original records as evidence. "In addition, the mentioned photocopies of crime scene photographs are an integral part of the minutes of the labour inspector, which was not questioned in proceeding and which was composed and signed by an authorized person who was heard as a witness at the main trial". As for the photographs that were enlarged and presented to the expert, their authenticity is not questioned, because they are identical to the photographs which are contained in the minutes of the labour inspector, which indicates that this is not unlawful evidence (The judgment of the Supreme Court of Cassation of RS, no. 1184/2015 since 2015, February 9).

7 CONCLUSION

Given the fact that photograph can be used as evidence in criminal proceedings, it is important to fulfil certain preconditions. At the first, photography should be authentic and fair and accurate representations of the matter they depict. If it is used as a mean for documentation of physical evidence during the crime scene investigation, their admissibility as evidence in court will be determined by their relevance. The course and procedure of photography must be properly documented by written report which must be accompanied by adequate photo documentation. Bearing in mind that photo documentation is an integral part of the record of the crime scene investigation, it can be used as evidence in criminal proceedings.

As other evidences, photography will not have evidentiary value if it is, directly or indirectly, in itself or by the manner in which it was obtained, in contravention of the Constitution, Criminal Procedure Code, other statute or universally accepted rules of international law and ratified international treaties. In criminal investigations which require the implementation of evidentiary actions such as eyewitness identification or special evidentiary actions such as covert surveillance and audio and video recording, photography which was made as a result of their implementation will have evidentiary value only if these actions are implemented in accordance with all legal provisions of the Criminal Procedure Code.

The Criminal Procedure Code of Serbia (2011) does not explicitly prescribe proving by photographs as the named means of evidence, which means that the use of photographs as evidence could be subsumed under the evidentiary

actions named proving by a record. That instrument includes all mechanical, optical, audio or electronic records and all items that can be used as evidence, which implies that photography is one of them. All procedural rules related to the legality of this evidentiary action must be fulfilled in order to establish the value of photography as evidence in criminal proceedings. In order to increase the reliability of photographic evidence it is desirable to establish the concrete legal solution that focuses specially on photography as a mechanism for providing evidence.

8 REFERENCES

Bošković, A., & Kesić, T. (2015). *Krivično procesno pravo*. Beograd: Kriminalističko-policijska akademija.

Bošković, A., & Kesić, T. (2020). *Krivično procesno pravo* (drugo izmenjeno i dopunjeno izdanje). Beograd: Kriminalističko-policijski univerzitet.

Duncan, C. D. (2015). *Advanced crime scene photography* (2nd edition). Boca Raton: CRC Press.

Dutelle, A. W. (2011). *An introduction to crime scene investigation*. Sundbury, Missisauga, London: Jones & Bartlette.

Ilić, G. (2014). Zakonik o krivičnom postupku i pravna sigurnost ili nekoliko primera kolebanja prakse pod uticajem Zakonika o krivičnom postupku. *NBP – Žurnal za kriminalistiku i pravo*, 19(3), 27–35.

Ilić, P. G., Majić, M., Beljanski, S., & Trešnjev, A. (2013). *Komentar Zakonika o krivičnom postupku, Prema Zakoniku iz 2011. godine sa izmenama i dopunama od 22. maja 2013. godine* (treće izmenjeno i dopunjeno izdanje). Beograd: Službeni glasnik.

Mirović, V., & Stupar, Lj. (2002). *Kriminalistika: tehnika* (1. izdanje). Zemun: Viša škola unutrašnjih poslova.

Police Executive Research Forum. (2014). *A national survey of eyewitness identification procedures in law enforcement agencies*, document number 242617.

Porter, G. (2011). A new theoretical framework regarding the application and reliability of photographic evidence. *The International Journal of Evidence & Proof*, 15, 26–61.

Strgar Kurečić, M. (2017). *Osnove digitalne fotografije*. Zagreb: Školska knjiga.

Tasić, M., & Straub, T. (2020). Current legal and criminalistics possibilities in eyewitness identification procedure: A comparative analysis of German and Serbian standards. *Bezbednost*, 2(LXII), 141–154.

The Criminal Procedure Code. (2001). *Official Gazette of the FRY* (70/01, 68/02); *Official Gazette of the RS* (58/04, 85/05, 115/05, 85/05 – other law, 49/07, 20/09 – other law, 72/09, 76/10).

The Criminal Procedure Code. (2011). *Official Gazette of RS* (72/11, 101/11, 121/12, 32/13, 45/13, 55/14 and 35/19).

The judgment of the of the Supreme Court of Cassation of RS, no. 1108/2019 since 2019, October 31.

The judgment of the Supreme Court of Cassation of RS, KZZ 751/2015 since 2015, September 9.

The judgment of the Supreme Court of Cassation of RS, no. 1184/2015 since 2015, February 9.

The judgment of the Supreme Court of Cassation of RS, no. 148/2020 since 2020, February 20.

The judgment of the Supreme Court of Cassation of RS, no.1477/2018 since 2019, January 31.

The judgment of the Supreme Court of Cassation of RS, no.751/2018 since 2018, July 5.

The judgment of the Supreme Court of Cassation of the RS, No. 203/2014 since 2014, March 26.

Žarković, M., & Ivanović, Z. (2020). *Kriminalistička taktika*. Beograd: Kriminalističko-policijski univerzitet.

Žarković, M., Bjelovuk, I., & Kesić, T. (2012). *Kriminalističko postupanje na mestu događaja i kredibilitet naučnih dokaza*. Beograd: Kriminalističko-policijska akademija.